**In the United States Patent and Trademark Office**

In re: application of: Bera )

Filed: 06/20/2000 )

Group Art Unit: 2124 )

For: Determining the Equivalence )  
of Two Sets of Simultaneous )  
Linear Algebraic Equations )

Examiner: Chat C. Do )

Appl.: 09/597,478 )

Applicant's Docket: )

JP919990272US1 )

**APPLICATION FOR PATENT TERM ADJUSTMENT**

The applicant hereby requests that the Patent Term Adjustment be changed from 297 days to 570 days.

**STATEMENT OF THE FACTS**

Correct Patent Term Adjustment The correct patent term adjustment is 570 days.

Basis for Adjustment 591 days elapsed from the Filing Date to mailing of the first non-final rejection. Applicant replied to the first Office action (Amendment A) 21 days late. Applicant filed a Petition for Extension of Time for Reply and paid the requisite fee. The PTO subtracted 294 days for Applicant's filing of a Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a). Applicant actually filed a Petition under 37 CFR 1.181 to Withdraw a Holding of Abandonment. Applicant's petition was GRANTED, and the notice of abandonment was WITHDRAWN. Therefore, the 294 day deduction for failing to respond to the first Office action should be added back, but 21 days should be deducted for the late Amendment A.

Relevant Dates See timeline below and attached evidence the confirms below dates:

06/20/2000 Filing Date

04/03/2003 First Office action mailed

07/24/2003 Amendment A filed by Applicant

07/28/2003 Petition for Extension of Time for Reply filed by Applicant

02/10/2004 Notice of Abandonment mailed

03/01/2004 Petition for Revival of an Application Abandoned Unavoidably Under 37 CFR 1.137(a) filed by Applicant (Applicant should have instead filed a Petition Under 37 CFR 1.181 to Withdraw Holding of Abandonment)

04/22/2004 Decision on Petition Under 37 CFR 1.181 to Withdraw Holding of Abandonment mailed - GRANTED

05/11/2005 Notice of Allowance and Fees Due mailed

Terminal Disclaimer Patent is not subject to Terminal Disclaimer.

Circumstances There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of application.

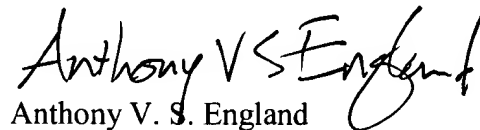
**FEE**

A Fee Transmittal is enclosed.

**REQUESTED ACTION**

Applicant hereby requests that the Patent Term Adjustment be changed from 297 days to 570 days.

Respectfully submitted,



Anthony V. S. England  
Attorney for Applicants  
Registration No. 35,129  
512-477-7165  
a@aengland.com

Enclosures: PTA for Application 09/597,478 from PAIR  
Copy of Decision on Petition Under 37 CFR 1.181 to Withdraw Holding of Abandonment



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## PATENT APPLICATION INFORMATION RETRIEVAL



Patent Term Adjustment (PTA) for publication number: 09/597,478			
			Days
Filing or 371(c) Date:	06-20-2000	USPTO Delay (PTO):	591
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	294
Post-Issue Petitions (days):	+0	Total PTA:	297
USPTO Adjustment (days):	+0	Explanation of Calculations	

### Search Options

Assignments
Image File Wrapper
File History
Publication Review

Patent Term Adjustment History			
Date	Contents Description	PTO (days)	APPL (days)
05-11-2005	Mail Notice of Allowance		
05-11-2005	Mail Examiner Interview Summary (PTOL - 413)		
05-11-2005	Mail Examiner's Amendment		
05-10-2005	Issue Revision Completed		
05-03-2005	Notice of Allowance Data Verification Completed		
05-03-2005	Examiner's Amendment Communication		
04-26-2005	Examiner Interview Summary Record (PTOL - 413)		
05-03-2005	Notice of Allowability		
04-19-2005	Date Forwarded to Examiner		
04-05-2005	Response after Non-Final Action		
04-19-2005	IFW TSS Processing by Tech Center Complete		
03-22-2005	Case Docketed to Examiner in GAU		
01-05-2005	Mail Non-Final Rejection		
12-31-2004	Non-Final Rejection		
11-19-2004	Date Forwarded to Examiner		
11-19-2004	Date Forwarded to Examiner		
10-27-2004	Request for Continued Examination (RCE)		
11-19-2004	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
10-27-2004	Workflow - Request for RCE - Begin		
07-27-2004	Mail Final Rejection (PTOL - 326)		
07-26-2004	Final Rejection		
07-27-2004	Mail Notice of Rescinded Abandonment		
07-09-2004	Correspondence Address Change		
04-22-2004	Petition to Revive Application - Granted		
04-22-2004	Petition to Revive Application - Granted		

06-30-2004	Correspondence Address Change		
06-07-2004	Date Forwarded to Examiner		
04-22-2004	Response after Non-Final Action		294
04-22-2004	Request for Extension of Time - Granted		↑
06-07-2004	Notice of Rescinded Abandonment in TCs		↑
05-02-2004	Correspondence Address Change		↑
04-22-2004	Petition to Revive Application - Granted		↑
03-01-2004	Petition Entered		↑
03-01-2004	Petition Entered		↑
03-01-2004	Petition Entered		↑
02-10-2004	Mail Abandonment for Failure to Respond to Office Action		↑
02-09-2004	Abandonment for Failure to Respond to Office Action		↑
12-01-2003	Letter Requesting Interview with Examiner		↑
12-01-2003	Untimely (Late) Amendment Filed		↑
04-03-2003	Mail Non-Final Rejection	591	↑
04-02-2003	Non-Final Rejection	↑	
03-10-2003	Correspondence Address Change	↑	
01-21-2003	Information Disclosure Statement (IDS) Filed	↑	
12-17-2002	Case Docketed to Examiner in GAU	↑	
08-09-2002	Correspondence Address Change	↑	
04-02-2002	Case Docketed to Examiner in GAU	↑	
02-05-2002	Correspondence Address Change	↑	
04-11-2001	Substitute Specification Filed	↑	
11-14-2000	Case Docketed to Examiner in GAU	↑	
09-29-2000	Case Docketed to Examiner in GAU	↑	
08-31-2000	Application Dispatched from OIPE	↑	
08-31-2000	Correspondence Address Change	↑	
07-27-2000	IFW Scan & PACR Auto Security Review	↑	
06-20-2000	Initial Exam Team nn	↑	



UNITED STATES PATENT AND TRADEMARK OFFICE

1999 0272



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Paper No. 12

MAIL

Anthony V. S. England  
1717 West Sixth Street  
Suite 230  
Austin, TX 78703

APR 22 2004

DIRECTOR OFFICE  
TECHNOLOGY CENTER 2100

In re Application of:  
Rakendra Kumar Bera  
Application No. 09/597,478  
Filed: June 20, 2000  
For: DETERMINING THE EQUIVALENCE OF  
TWO SETS OF SIMULTANEOUS LINEAR  
ALGEBRAIC FUNCTIONS

DECISION ON PETITION  
UNDER 37 CFR §1.181 TO  
WITHDRAW HOLDING OF  
ABANDONMENT

This is a decision on the petition filed 01 March 2004 under 37 CFR §1.181 to withdraw the holding of abandonment of the above-identified application.

This application was held abandoned for failure to respond in a timely manner to the Office Action mailed 03 April 2003 (paper no. 7). A Notice of Abandonment was mailed 10 February 2004 (paper no. 10).

It is noted that Petitioner has filed a "Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a)", however this petition is being treated as a "Petition under 37 CFR 1.181 to Withdraw a Holding of Abandonment".

In support of the petition, Petitioner provides a copy of (1) a 13 page amendment, (2) an Applicant initiated interview request form, (3) a transmittal form showing transmission of a 13 page amendment and an Applicant initiated interview request form, (4) a "transmission verification report", and (5) an "auto-reply facsimile transmission" from the United States Patent and Trademark Office showing receipt of a 15 page transmission, transmitted 24 July 2003.

Petitioner also provides a copy of (1) a Petition for Extension of Time for Reply, (2) a "transmission verification report", and (3) an "auto-reply facsimile transmission" from the United States Patent and Trademark Office showing receipt of a 1 page transmission, transmitted on 28 July 2003.

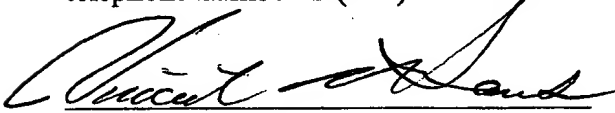
The "auto-reply facsimile transmission" from the United States Patent and Trademark Office for the responses filed 24 July 2003 and 28 July 2003 establishes that a response to the Office action of 03 April 2003 was filed on 24 July 2003 and 28 July 2003. Thus, Petitioner has established

that a response was timely filed and the Abandonment was the result of Office error in not matching the response to the application file.

The petition is **GRANTED**. The Notice of Abandonment is **WITHDRAWN**.

The application file is being forwarded to the Technology Center support staff for processing of the amendment and a one-month extension of time. Petitioner's deposit account no. 50-0629 will be charged \$110 for the one month extension of time. After processing, the application will then be forwarded to the Examiner for appropriate action.

Any inquiry concerning this decision should be directed to Vincent N. Trans whose telephone number is (703) 305-9750.



Vincent N. Trans  
Special Program Examiner  
Technology Center 2100  
Computer Architecture, Software, and  
Information Security  
703-305-9750



PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 200.00

**Complete if Known**

Application Number	09/597,478
Filing Date	06/20/2000
First Named Inventor	Bera
Examiner Name	Chat C. Do
Art Unit	2124
Attorney Docket No.	JP919990272US1

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

09-0457

International Business Ma

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) 1455 App. for Patent Term Adjustment					200.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 200.00

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Anthony V.S. England	Registration No. (Attorney/Agent)	35,129	Telephone	512-477-7165
Signature	<i>Anthony V.S. England</i>	Date	8/2/2005		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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